

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE GRACE MARIE MILES,

Appellant.

Case No: C 10-4725 SBA

[Bankruptcy Case: 09-30419]

**ORDER DENYING MOTIONS FOR
EXTENSION OF TIME**

Dkts. 6, 9, 12

On October 20, 2010, Appellant Grace Marie Miles (“Miles”) filed a pro se notice of appeal of the Bankruptcy Court’s September 28, 2010 Order in Miles’ bankruptcy proceedings. Miles has filed three separate motions for an extension of time to file her opening brief on appeal. Dkts. 6, 9, and 12. Bankruptcy Local Rule 8010-1 provides that an appellant’s opening brief shall be filed within twenty-eight days after the record on appeal has been entered on the District Court docket. See Dkt. 2, Scheduling Order. While it appears that Miles has been diligently pursuing this appeal, to date, the record on appeal has not been entered on the District Court docket.¹ Thus, the twenty-eight day deadline for Miles to file her opening brief has not yet been triggered. Accordingly,

IT IS HEREBY ORDERED THAT Miles’ motions (Dkts. 6, 9, 12) are DENIED, without prejudice, as premature.

IT IS SO ORDERED.

Dated: February 7, 2011



SAUNDRA BROWN ARMSTRONG
United States District Judge

¹ On November 10, 2010, Miles filed with the Bankruptcy Court a designation of the items to be included in the record on appeal and a statement of the issues to be presented, pursuant to Federal Rule of Bankruptcy Procedure 8006. See Case No. 09-30419, Dkt. 115-2.

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 IN RE GRACE MARIE MILES,

5 Plaintiff,

6 v.

7 IN RE GRACE MARIE MILES et al,

8 Defendant.
9 _____/

Case Number: CV10-04725 SBA

10 **CERTIFICATE OF SERVICE**

11
12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
13 Court, Northern District of California.

14 That on February 8, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
16 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
17 located in the Clerk's office.

18 U.S. Trustee
19 Office of the U.S. Trustee / SF
20 Office of the U.S. Trustee
21 235 Pine Street
22 Suite 700
23 San Francisco, CA 94104

24 United States Bankruptcy Court Northern District of California
25 USBC-San Francisco
26 for the Northern Dist. of CA
27 235 Pine St
28 P.O. Box 7341
San Francisco, CA 94104

Grace Marie Miles
P.O. Box 1246
Menlo Park, CA 94026

Thomas E. Carlson
United States Bankruptcy Court
Northern District of CA
235 Pine Street

P.O. Box 7341
San Francisco, CA 94120-7341
Dated: February 8, 2011

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk